

JEFFREY B. COOPERSMITH (SBN 252819)  
AMY WALSH (Admitted Pro Hac Vice)  
STEPHEN A. CAZARES (SBN 201864)  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
405 Howard Street  
San Francisco, CA 94105-2669  
Telephone: (415) 773-5700  
Facsimile: (415) 773-5759

Email: jcoopersmith@orrick.com; awalsh@orrick.com;  
scazares@orrick.com

Attorneys for Defendant  
RAMESH "SUNNY" BALWANI

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**UNITED STATES OF AMERICA.**

Case No. 18-CR-00258-EJD

**Plaintiff,**

V.

## RAMESH "SUNNY" BALWANI,

**DECLARATION OF JEFFREY B.  
COOPERSMITH RE: DEFENDANT  
RAMESH BALWANI'S MOTION TO  
ADMIT TRIAL EXHIBITS 20279 AND  
20498**

Defendant.

Judge: Honorable Edward J. Davila

## **DECLARATION OF JEFFREY B. COOPERSMITH**

I, Jeffrey B. Coopersmith, declare as follows:

1. I am lead counsel for defendant Ramesh “Sunny” Balwani, an attorney admitted to practice in the State of California, a partner at the law firm of Orrick, Herrington & Sutcliffe LLP, and counsel of record for Mr. Balwani. I submit this declaration in support of Mr. Balwani’s motion to admit Trial Exhibits 20279 and 20498.

2. Attached as **Exhibit 1** is a true and correct copy of a May 19, 2014 email from Dr. Mark Pandori to Dr. Adam Rosendorff, marked as TX20494.

3. Attached as **Exhibit 2** is a true and correct copy of a May 22, 2014 email from Dr. Pandori to employees of the Theranos CLIA lab, marked as TX20495.

4. Attached as **Exhibit 3** is a true and correct copy of a May 27, 2014 email from Theranos HR director Mona Ramamurthy to Dr. Pandori, marked as TX20496.

5. Attached as **Exhibit 4** is a true and correct copy of a May 22, 2014 email from Dr. Pandori to Sani Hadziahmetovic, marked as TX20490.

6. Attached as **Exhibit 5** is a true and correct copy of a May 22, 2014 email from Dr. Pandori to Max Fosque, marked as TX20521, redacted to protect private health information of patients.

7. Attached as **Exhibit 6** is a true and correct copy of a May 30, 2014 email from Dr. Pandori to Ms. Ramamurthy and Mr. Balwani, together with the attached transition memo, marked as TX20498.

8. Attached as **Exhibit 7** is a true and correct copy of a May 30, 2014 email from Dr. Pandori to Dr. Rosendorff, together with the attached transition memo, marked as TX20279.

9. Attached as **Exhibit 8** is a true and correct copy of a May 30, 2014 email from Dr. Pandori to Mr. Balwani, marked as TX20501.

10. Attached as **Exhibit 9** is a true and correct copy of a calendar invitation for “Mark Pandori’s exit meeting” noting that Mr. Balwani is a required attendee, marked as TX20500.

11. Attached as **Exhibit 10** is a true and correct copy of a May 30, 2014 email from Dr. Pandori to Dr. Rosendorff and Ashkon Niroomand, marked as TX20502.

12. Attached as **Exhibit 11** is a true and correct copy of a May 30, 2014 email from Dr. Pandori to Dr. Rosendorff, together with the attached transition memo, marked as TX20503.

13. Attached as **Exhibit 12** is a true and correct copy of a May 30, 2014 email from Dr. Pandori to Dr. Rosendorff, tougher with the attached transition memo, marked as TX20504.

14. Attached as **Exhibit 13** is a true and correct copy of a May 30, 2014 email from Mr. Balwani to Dr. Pandori, marked as TX20499.

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 4, 2022, at San Jose, California.

/s/ Jeffrey B. Coopersmith  
JEFFREY B. COOPERSMITH